

Panaji, 3rd July, 1997 (Ashada 12, 1919)

SERIES I No. 14

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There are two Extraordinary issues to the Official Gazette, Series I No. 13 dated 26-6-97 as follows:

- 1) Extraordinary dated 30-6-1997 from pages 205 to 210 regarding Notification from Department of Social Welfare.
- 2) Extraordinary No. 2 dated 2-7-1997 from pages 211 to 212 regarding Notification from Department of Women and Child Development.

GOVERNMENT OF GOA

Department of Animal Husbandry

Directorate of Animal Husbandry & Veterinary Services

Order

2-13-93/AH

Read: Order No. 2-13-93/AH dated 22-6-94.

The first sub-para of the above mentioned Government Order shall stand cancelled with immediate effect and the said sub para be read as below:

Under the clause "For pet dogs, cats etc."

"In case of anti-rabic vaccine in dogs, the owners will be charged Rs. 20/- for the first time and Rs. 15/- for each subsequent vaccine which includes the cost of vaccine.

By order and in the name of the Governor of Goa.

Dr. V. J. Thomas, Director of Animal Husbandry and Veterinary Services and Ex-Officio Jt. Secretary.

Panaji, 20th June, 1997.

Department of Finance

Notification

7-16-91/PROV/FIN (R & C)

Read: Notification No. 7-16-91/PROV/FIN (R & C) dated 26-12-1996 published in the Official Gazette Series I No. 44 dated 30-1-1997.

The pay scale of the post of Junior Engineer shown at column No. 4 of serial number 8 of the schedule attached to the Notifica-

tion referred to above published at pg. 634 of the Official Gazette, Series I No. 44 dated 30-1-1997 may be read as follows:-

"Rs. 1400-40-1800-EB-50-2300."

By order and in the name of the Governor of Goa.

S. V. Madkaikar, Under Secretary (Finance-Exp).

Panaji, 7th April, 1997.

Department of General Administration

Notification

23/1/87-GA & C (i)

The Government is pleased to establish Directorate of Official Language by converting the existing Department of Official Language, with immediate effect.

Consequent upon formation of the new Directorate, Under Secretary (Official Language) is designated as ex-officio Director of Official Language.

The existing staff working in the Department of Official Language shall continue to look after the work of above Directorate.

By order and in the name of the Governor of Goa.

Anthony Ferrao, Under Secretary (GA).

Panaji, 26th March, 1997.

Department of Home

Home — General Division

Order

3/6/90-HD (G)

Government is pleased to approve the enclosed scheme for grant of awards/rewards to Fire Officers of and below the rank of

Station Fire Officers for doing outstanding good work requiring exemplary courage, skill or initiative while conducting rescue and fire fighting operations.

The expenditure towards the same will be met from the grants of the Directorate of Fire Services from time to time.

This issues with the concurrence of the Finance (Expenditure) Department vide their U. O. No. Fin (Exp)/7001/92 dated 27-11-1992.

By order and in the name of the Governor of Goa.

A. Mascarenhas, Under Secretary (Home).

Panaji, 28th May, 1997.

SCHEME FOR GRANT OF AWARDS/ REWARDS TO FIRE SERVICE PERSONNEL

1. Rewards will be granted to fire Officers of and below the rank of Station Fire Officers. Rewards will be ordinarily granted for:—

(a) doing outstanding good work requiring exemplary courage, skill or initiative while conducting rescue and fire fighting operation.

(b) doing work of a less outstanding nature, but requires promptitude, honesty and intelligence in mitigating damage on account of fire/allied emergencies.

(c) in certain cases where the official has executed smartness and diligence in the performance/workmanship which is, in the opinion of the officer competent to grant rewards, deemed appropriate to promote the efficiency of the members of the staff.

2. Rewards may also be offered and granted to private persons for the good work done in connection with the extinction and prevention of fire.

3. Grant of Rewards:—

(a) The Director, Fire and Emergency Services may issue commendatory note to any Fire Official irrespective of rank and also grant cash rewards upto Rs. 1,000/- (Rupees one thousand only) in any one case/incident on special events involving skill and devotion to duties. However, the maximum amount of reward sanctioned by the Director, Fire and Emergency Services to any one individual will not exceed Rs. 250/- (Rupees two hundred and fifty only) (Incidents involve number of people since it is a team work).

(b) The Secretary, Home Department may grant comendatory note in any one case or to any fire official irrespective of rank and also reward upto Rs. 5000/- (Rupees five thousand only) in any one case or to any one person. Rewards above Rs. 5000/- are to be sanctioned by the Government on the recommendation of the Director of Fire and Emergency Services.

4. Rewards offered by private parties.— Permission to accept special rewards by private parties may be granted by the Director, Fire and Emergency Services. Whether the reward should go to the individual concerned or to the Fire Service Benevolent Fund/ Welfare Fund or to any of the Sports or recreation club or partly to

each will be decided by the Director, Fire and Emergency Services in consultation with the Administrative Secretary of the Department.

5. Rewards by other Departments.— Rewards granted to subordinate officers by officers of other Departments may be disbursed to them directly under intimation to the Director.

6. Publication.— The details of awards given by the Government, other Departments or Director, Fire and Emergency Services shall be published through a Departmental Circular and entering its details in their service records.

Notification

2/20/92-HD (G)

In exercise of the powers conferred by section 13A of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976), read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby amends the Government Notification No. 2-20-92-HD (G) dated 9-11-1995 published in the Official Gazette, Series I No. 34 dated 23-11-1995 (hereinafter called the 'principal Notification'), as follows, namely:—

In condition 5 of the principal Notification:—

(a) for clauses (i) and (ii), the following shall be respectively substituted, namely:—

(i) An application for licence shall be accompanied alongwith a non-refundable fee of Rs. 500/- per machine of electronic amusement/slot machine which shall be deposited into the Government treasury and copy of the challan shall be attached to the application. The licence processing fee for renewal of licence shall be the same as indicated above.

(ii) "If the authority, after making such inquiry as may be necessary, is satisfied that the application conforms to these terms and conditions, shall recommend to the Government to grant a licence in Form 'B' appended hereto as Appendix II in favour of the applicant.";

(b) in clause (vii) for the words and figures "Rs. 6000/-", the words and figures "Rs. 10,000/-" shall be substituted.

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

A. Mascarenhas, Under Secretary (Home).

Panaji, 29th April, 1997.

Department of Law & Judiciary

Legal Affairs Division

Notification

10/5/96/LA-Vol. II

The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (Central Act 40 of 1996), which has been passed by Parliament and assented to by President of India on 24th

December, 1996 and published in the Gazette of India, Extraordinary, Part II, Section I dated 24th December, 1996 is hereby published for the general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 18th June, 1997.

THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996

AN

ACT

to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

Be it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.

2. *Definition.*— In this Act, unless the context otherwise requires, “Scheduled Areas” means the Scheduled Areas as referred to in clause (1) of article 244 of the Constitution.

3. *Extension of Part IX of the Constitution.*— The provisions of Part IX of the Constitution relating to Panchayats are hereby extended to the Scheduled Areas subject to such exceptions and modifications as are provided in section 4.

4. *Exceptions and modifications to Part IX of the Constitution.*— Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely:—

(a) a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;

(b) a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;

(c) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;

(d) every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(e) every Gram Sabha shall —

(i) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;

(ii) be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;

(f) every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of

funds by that Panchayat for the plans, programmes and projects referred to in clause (e);

(g) the reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution;

Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats;

Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;

(h) the State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level;

Provided that such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat;

(i) the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;

(j) planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;

(k) the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;

(l) the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;

(m) while endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with—

(i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;

(ii) the ownership of minor forest produce;

(iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;

(iv) the power to manage village markets by whatever name called;

(v) the power to exercise control over money lending to the Scheduled Tribes;

(vi) the power to exercise control over institutions and functionaries in all social sectors;

(vii) the power to control over local plans and resources for such plans including tribal sub-plans;

(n) the State legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain

safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha;

(o) the State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

5. *Continuance of existing laws and Panchayats.*— Notwithstanding anything in Part IX of the Constitution with exceptions and modifications made by this Act, any provision of any law relating to Panchayats in force in the Scheduled Areas immediately before the date on which this Act receives the assent of the President which is inconsistent with the provisions of Part IX with such exceptions and modifications shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from the date on which this Act receives the assent of the President:

Provided that all the Panchayats existing immediately before such date shall continue till the expiration of their duration unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having Legislative Council, by each House of the Legislature of that State.

Department of Mines

Notification

5/5/90-Mines

In exercise of the powers conferred by clause (e) of rule 2 of the Goa, Daman and Diu Minor Mineral Concession Rules, 1985 (hereinafter referred to as the "said Rules"), the Government of Goa hereby authorises the police officers, not below the rank of Police Inspectors, to exercise the powers of the Inspecting Officer under rules 46, 48, 62 (3), (4), (5), (6), (7) and (8), 63 and 64 of the said Rules, with immediate effect.

By order and in the name of the Governor of Goa.

G. P. Chimulkar, Joint Secretary (Industries).

Panaji, 13th June, 1997.

Department of Public Works

Office of the Chief Engineer

Notification

8-4/CE-PWD-Accts/97-98/178

In supersession of the Notification No. 8-4/CE-PWD-Accts/96-97/529 dated 9-10-1996, Government is pleased to accord sanction for implementation of the revised scheme to provide Pour Flush Water Seal Latrines to individual houses on contribution basis in Rural and Urban areas of Goa with effect from the date of issue of this Notification.

In order to extend the benefit from this scheme to larger section of the population, it has been decided to group the beneficiaries as indicated below:

Category	Contribution
a) SC/ST and OBC	Nil
b) Income group whose annual income is up to Rs. 25,000/-	Nil
c) Income group whose annual income is above Rs. 25,000/-	Rs. 6,000/-

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PANAJI - GOA.
PRICE - Rs. 2.00

Procedure of Implementation

1. The agency to undertake this revised scheme will be fixed by the Public Works Department from time to time.

2. The beneficiaries have to submit simple application to the concerned Sub Divisional Officer (Assistant Engineer), PHE, P. W. D., indicating the name of head of family member, number of persons in household, location of household alongwith the following:

(a) Income Certificate from Revenue Authority/B. D. O.

Or

(b) SC/ST/OBC certificate as applicable issued by the Mamlatdar.

(c) The beneficiary shall make available free of cost necessary place and area for constructing Pour Flush Water Seal Latrine.

3. After verifying the certificate produced by the beneficiaries, the concerned Sub-Divisional Officer will prepare a challan for making payment in the Government Treasury under Budget Head "0215 - Water Supply and Sanitation, 02 - Sewerage and Sanitation, 800 - Other Receipts".

The construction of Pour Flush Latrines will be undertaken through the agency fixed by the Public Works Department only after receiving the challan showing necessary payment is made by the approved beneficiaries.

By order and in the name of the Governor of Goa.

A. K. Jahagirdar, Chief Engineer, P. W. D. & Ex-Officio Addl. Secretary.

Panaji, 13th June, 1997.

Department of Transport

Office of the Ex-Officio Jt. Secretary

Notification

No. 5/9/90-Tpt-Vol. II/509

In exercise of the powers conferred by clause (n) of sub-section (3) of section 66 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) (hereinafter called the 'said Act') and in supersession of the Government Order No. 5/9/90-Tpt-Vol. II, dated 14-8-1995, the Government of Goa hereby specifies that the provisions of sub-section (1) of section 66 of the said Act shall not apply to the vehicle No. GA-01-T 3428 (pick-up) belonging to the Konkan Railway Corporation Ltd., being used for an official purpose.

By order and in the name of the Governor of Goa.

K. N. S. Nair, Ex-Officio Jt. Secretary. (Tpt).

Panaji, 23rd May, 1997.

Corrigendum

In the Notification of Directorate of Industries and Mines published in the Official Gazette, Series I No. 50 dated 13-3-97 the date of the Notification be corrected to read as "16th October, 1996" instead of 24th January, 1997.